

RESOLUTIONS AND ORDERS
1981

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23-81	12-21	DENIAL RETAIL LIQUOR LIC - FOUR CORNERS LIQUOR
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25-81	12-28	AMEND 1981 BUDGET

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 28th day of December, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #25-81

WHEREAS: Montezuma County is in serious need of additional office space and parking; and,

WHEREAS: Said need for additional office space and parking would normally require new construction at a cost Montezuma County could not afford; and,

WHEREAS: City Market, Inc. is willing to donate a building to Montezuma County and to sell the appurtenant land to Montezuma County for \$350,000.00; and,

WHEREAS: The appraised value of the entire property is \$610,000.00; and,

WHEREAS: Montezuma County desires to purchase this property for \$350,000.00 with \$50,000.00 down payment and the balance by note and deed of trust; and,

WHEREAS: Montezuma County could not anticipate the need and opportunity to purchase this property and therefore did not budget the necessary funds when their 1981 Budget was prepared; and,

WHEREAS: Adequate funds are available in the 1981 General Fund for a \$50,000.00 down payment;

NOW THEREFORE BE IT RESOLVED, that Montezuma County amend its 1981 Budget to authorize expenditures of \$50,000.00 out of the Capital Outlay Lands and Buildings Budget which is a General Fund expenditure.

IT IS FURTHER RESOLVED, that an emergency exists and can only be resolved by this budget amendment and disbursement.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

W. C. Bauer Roy W. Henneman and Floyd M. Ray
Signature Signature Signature

Mary Ann Sandison
County Clerk and Recorder, *Deputy*
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Recorded at _____ o'clock _____ M., _____

Reception No. _____ Recorder _____

Attachment A

BALDRIDGE FAMILY PARTNERSHIP, a Partnership, EUGENE CARY, GREGORY K. HOSKIN, A. CURTIS ROBINSON, PATRICIA LEE HACKER, EUGENE F. HAGGERTY, LUCILLE E. HAGGERTY, HALE LUFF, MARY A. LUFF, RICHARD McMILLEN, LEO OLESKEVICH, ROBIN PECKHAM, MIRIAM PECKHAM, CLARENCE F. PRINSTER, FRANK JOSEPH PRINSTER, JR., JOSEPH C. PRINSTER, LEO PRINSTER, LEO T. PRINSTER, MARTHA T. PRINSTER, PAUL J. PRINSTER, TRUSTEE, ROY B. WELLS, DONALD J. VOGEL, JOSEPH C. PRINSTER and LEO T. PRINSTER, TRUSTEES, ANDREW T. PRINSTER, FIRST NATIONAL BANK IN GRAND JUNCTION, TRUSTEE, FRANK J. PRINSTER, JR., JOSEPH C. PRINSTER, and LEO T. PRINSTER, CO-TRUSTEES OF THE FRANK JOSEPH PRINSTER, SR. TESTAMENTARY TRUST, FRANK J. PRINSTER, JR., JOSEPH C. PRINSTER, and LEO T. PRINSTER as Co-Executors of the ESTATE OF FRANK J. PRINSTER, SR., Grantors,

As a gift does hereby grant, convey and transfer to Montezuma County, Grantee, whose legal address is Montezuma County Courthouse, Cortez, County of Montezuma, and State of Colorado the following real property, to wit:

All of Lots 19 to 24, inclusive, and the East 50 feet of Lot 15 and the East 50 feet of the South $\frac{1}{2}$ of Lot 14, in Block 21, Town of Cortez, Colorado, as per the plat of the "Town of Cortez and Chamberblin's Addition to the Town of Cortez" on file in the office of the Clerk and Recorder, together with that portion of the vacated alley lying between Lots 1 to 6 and Lot 19 of said Block 21, and described as follows: Beginning at the Northeast Corner of Lot 19, Block 21, Town of Cortez; thence West with the North boundary line of said Lot 19, 142 feet; thence North 16 feet; thence East 142 feet; thence South 16 feet to the place of beginning.

County of Montezuma
State of Colorado

and

All of the buildings, structures and improvements of a permanent nature affixed to and presently located upon the above described real property in the County of Montezuma, State of Colorado, and one Alco metal storage building, 30' X 50', and warrant(s) the title to the same subject to easements, restrictions

Signed this 23rd day of December, 1981.

BALDRIDGE FAMILY PARTNERSHIP,
a Partnership

By Eugene F. Haggerty
General Partner

Gregory K. Hoskin
GREGORY K. HOSKIN

Patricia Lee Hacker
PATRICIA LEE HACKER

Lucille E. Haggerty
LUCILLE E. HAGGERTY

Mary A. Luff
MARY A. LUFF

Leo Oleskevich
LEO OLESKEVICH

Miriam Peckham
MIRIAM PECKHAM

Frank Joseph Prinster, Jr.
FRANK JOSEPH PRINSTER, JR.

Leo Prinster
LEO PRINSTER

Martha T. Prinster
MARTHA T. PRINSTER

Roy B. Wells
ROY B. WELLS

JOSEPH C. PRINSTER and
LEO T. PRINSTER, TRUSTEES

Joseph C. Prinster
Leo T. Prinster
FRANK J. PRINSTER, JR.,
JOSEPH C. PRINSTER and
LEO T. PRINSTER, CO-TRUSTEES OF
THE FRANK JOSEPH PRINSTER, SR.
TESTAMENTARY TRUST

Eugene Cary
EUGENE CARY

A. Curtis Robinson
A. CURTIS ROBINSON

Eugene F. Haggerty
EUGENE F. HAGGERTY

Hale Luff
HALE LUFF

Richard McMullen
RICHARD MCMULLEN

Robin Peckham
ROBIN PECKHAM

Clarence F. Prinster
CLARENCE F. PRINSTER

Joseph C. Prinster
JOSEPH C. PRINSTER

Leo T. Prinster
LEO T. PRINSTER

Paul J. Prinster, as Trustee
PAUL J. PRINSTER, as TRUSTEE

Donald J. Vogel
DONALD J. VOGEL

FIRST NATIONAL BANK IN GRAND
JUNCTION, TRUSTEE

By Andrew T. Prinster
Trust Officer

Andrew T. Prinster
ANDREW T. PRINSTER

ESTATE OF FRANK J. PRINSTER, SR.

Frank J. Prinster, Jr.
FRANK J. PRINSTER, JR.

Joseph C. Prinster
JOSEPH C. PRINSTER

Recorded at _____ o'clock _____ .M., _____

Reception No. _____ Recorder _____

Attachment B

BALDRIDGE FAMILY PARTNERSHIP, a Partnership, EUGENE CARY, GREGORY K. HOSKIN, A. CURTIS ROBINSON, PATRICIA LEE HACKER, EUGENE F. HAGGERTY, LUCILLE E. HAGGERTY, HALE LUFF, MARY A. LUFF, RICHARD McMILLEN, LEO OLESKEVICH, ROBIN PECKHAM, MIRIAM PECKHAM, CLARENCE F. PRINSTER, FRANK JOSEPH PRINSTER, JR., JOSEPH C. PRINSTER, LEO PRINSTER, LEO T. PRINSTER, MARTHA T. PRINSTER, PAUL J. PRINSTER, TRUSTEE, ROY B. WELLS, DONALD J. VOGEL, JOSEPH C. PRINSTER and LEO T. PRINSTER, TRUSTEES, ANDREW T. PRINSTER, FIRST NATIONAL BANK IN GRAND JUNCTION, TRUSTEE, FRANK J. PRINSTER, JR., JOSEPH C. PRINSTER, and LEO T. PRINSTER, CO-TRUSTEES OF THE FRANK JOSEPH PRINSTER, SR. TESTAMENTARY TRUST, FRANK J. PRINSTER, JR., JOSEPH C. PRINSTER, and LEO T. PRINSTER as Co-Executors of the ESTATE OF FRANK J. PRINSTER, SR., Grantors,

For ten dollars and other valuable consideration in hand paid, hereby sell and convey to Montezuma County, Grantee, whose legal address is Montezuma County Courthouse, Cortez, County of Montezuma, State of Colorado the following real property in the County of Montezuma, and State of Colorado, to wit:

Lots 1 to 12, inclusive, the East 50 feet of Lot 13 and the East 50 feet of the North $\frac{1}{4}$ of Lot 14, in Block 21, Town of Cortez, Colorado, as per the plat of the "Town of Cortez and Chamberlin's Addition to the Town of Cortez" on file in the office of the Clerk and Recorder, together with that portion of the vacated alley lying between Lots 1 to 6 and Lot 19 of said Block 21, and described as follows: Beginning at the Northeast Corner of Lot 19, Block 21, Town of Cortez; thence West with the North boundary line of said Lot 19, 142 feet; thence North 16 feet; thence East 142 feet; thence South 16 feet to the place of beginning.

County of Montezuma
State of Colorado

with all appurtenances, and warrant(s) the title to the same, subject to easements, restrictions, reservations, agreements and condition of record and any and all taxes and assessments for

Signed this 9th day of December, 1981.

BALDRIDGE FAMILY PARTNERSHIP,
a Partnership

By [Signature]
General Partner

[Signature]
GREGORY K. HOSKIN

[Signature]
PATRICIA LEE HACKER

[Signature]
LUCILLE E. HAGGERTY

[Signature]
MARY A. LUFF

[Signature]
LEO OLESKEVICH

[Signature]
MIRIAM PECKHAM

[Signature]
FRANK JOSEPH PRINSTER, JR.

[Signature]
LEO PRINSTER

[Signature]
MARTHA T. PRINSTER

[Signature]
ROY B. WELLS

JOSEPH C. PRINSTER and
LEO T. PRINSTER, TRUSTEES

[Signature]
FRANK J. PRINSTER, JR.,
JOSEPH C. PRINSTER and
LEO T. PRINSTER, CO-TRUSTEES OF
THE FRANK JOSEPH PRINSTER, SR.
TESTAMENTARY TRUST

[Signature]
EUGENE CARY

[Signature]
A. CURTIS ROBINSON

[Signature]
EUGENE F. HAGGERTY

[Signature]
HALE LUFF

[Signature]
RICHARD McMILLEN

[Signature]
ROBIN PECKHAM

[Signature]
CLARENCE F. PRINSTER

[Signature]
JOSEPH C. PRINSTER

[Signature]
LEO T. PRINSTER

[Signature]
PAUL J. PRINSTER, as TRUSTEE

[Signature]
DONALD J. VOGEL

FIRST NATIONAL BANK IN GRAND
JUNCTION, TRUSTEE

By [Signature]
Trust Officer

[Signature]
ANDREW T. PRINSTER

ESTATE OF FRANK J. PRINSTER, SR.

[Signature]
FRANK J. PRINSTER, JR.

Recorded at _____ o'clock _____ M., _____

Reception No. _____ Recorder _____

Attachment C

CITY MARKET, INC., Grantor

whose address is 1st and Colorado, Grand Junction, County of Mesa, State of Colorado,

For ten dollars and other valuable consideration in hand paid, hereby sell(s) and convey(s) to Montezuma County, Grantee, whose legal address is Montezuma County Courthouse, Cortez, County of Montezuma, and State of Colorado the following real property in the County of Montezuma, State of Colorado, to wit:

Lots 13, 14 and 15, LESS the East 50 feet thereof, in Block 21, Town of Cortez, Colorado, as per the plat of the "Town of Cortez and Chamberlin's Addition to the Town of Cortez" on file in the office of the Clerk and Recorder.

with all its appurtenances, and warrant(s) the title to the same, subject to easements, restrictions, reservations, agreements and condition of record and any and all taxes and assessments for 1982 and subsequent years.

Signed this 11th day of December, 1981.

CITY MARKET, INC.

By *Joseph C. Brunster*
President

ATTEST:

Joseph C. Brunster
Secretary

STATE OF COLORADO)

) ss

COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 11 day of December, 1981, by Joseph C. Brunster, as President of CITY MARKET, INC.

Witness my hand and official seal.

My commission expires: 12/31/85.

Joseph C. Brunster
Notary Public

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 28th day of December, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #24-81

WHEREAS: Montezuma County is in need of additional office space and parking facilities; and,

WHEREAS: Said need for additional office space and parking facilities would normally require new construction at a cost Montezuma County could not afford; and,

WHEREAS: City Market, Inc. desires to donate as a gift property (described on Attachment A) to Montezuma County; and,

WHEREAS: City Market also desires to sell adjacent land (described on Attachments B & C) to Montezuma County for a total purchase price of \$350,000.00; and,

WHEREAS: The appraised value of the entire City Market property (described on Attachments A, B & C) is \$610,000.00; and,

WHEREAS: Montezuma County desires to accept the above mentioned gift and to purchase the remaining property for \$350,000.00;

NOW THEREFORE BE IT RESOLVED, that Montezuma County does accept the above mentioned gift and agree to purchase the remaining property for \$350,000.00 with a \$50,000.00 down payment and the balance by note and deed of trust.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

W. C. Bauer Signature Roy W. Henneman Signature and Floyd M. Ray Signature

Jean DeGraff
County Clerk and Recorder, *Deputy*
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

R E S O L U T I O N No. 23-81

On the 21st day of December, 1981, at the regular meeting of the Montezuma County Board of Commissioners, it was moved by Commissioner [Signature] and duly seconded by Commissioner [Signature] that the following resolution be adopted:

WHEREAS, Mildred Mae Lindsay, d/b/a Four Corners Liquor, submitted an application to the County of Montezuma, Colorado, requesting the granting of a Retail Liquor Store License on the premises located at 4321 South U. S. Highway 160, County of Montezuma, State of Colorado.

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado scheduled a public hearing on said application for November 23, 1981 at 3 o'clock p.m.; and set the neighborhood as being within one-half mile radius of the proposed outlet; and publication and posting of notice of said public hearing was accomplished in accordance with the law; and the public hearing took place in the Commissioners' office, Montezuma County Courthouse, Cortez, Colorado, at the date and time as above set; and was continued to December 7, 1981 at 3 o'clock p.m. to give applicant an opportunity to present evidence in support of her application; and,

WHEREAS, at the first public hearing, the application and the Investigator's Report and the Petition in opposition to the granting of the Retail Liquor License were reviewed by the Commissioners; and,

WHEREAS, at said first public hearing, applicant stated that she had requests from the travelling public for a Retail Liquor License but that she had not polled the

inhabitants of the neighborhood, one of whom presented the Petition in opposition to the granting of the license, and all of them stating they were opposed to Mrs. Lindsay's request for a Retail Liquor License on grounds that such a license was not needed in the neighborhood, that it was not desired by the inhabitants, that the establishment was too close to the Indian reservation, that the Indian buyers of the hard liquor would consume it on the side roads and in the neighborhood because the Indians are not allowed to take it on the reservation and thus create a nuisance and road hazard on the State Highway fronting the proposed outlet, at the end of which the applicant then asked for a continuance of said public hearing which was granted; and,

WHEREAS, at the resumption of the public hearing on December 7, 1981, at 3 o'clock p.m., applicant appeared with her attorney, Kent Williamson, to present evidence in her behalf in the form of testimony by Mrs. Lindsay as to the needs of customers and that there was no similar outlet within three miles, the presentation of a diagram of the property (Exhibit 1), Petitions covering a three-mile radius made up of 71 individuals (Exhibit 2), Petition within the one-half mile radius signed by five individuals (Exhibit 3), Petition within three-mile radius signed by owners and managers of businesses in the area (Exhibit 4), Petition signed by customers, mainly travelling public, some of who were non-residents (Exhibit 5); and,

WHEREAS, the applicant further stated that she believed a three-mile radius was more in keeping with a rural store facility than the one-half mile radius established by the Commissioners although she admitted that a majority of the inhabitants within the one-half mile radius did not want

on Road G would place it in very close proximity to a similar outlet called the Last Chance Liquor Store which also fronts on U. S. Highway 160; and

WHEREAS, after the applicant finished presenting her evidence, three additional persons spoke in opposition to the granting of the license on grounds that such a license would create problems for the Indian reservation and the travelling public, and that it would have a harmful effect on family life and on the Indian Spirit Life Center which is located further south on U. S. Highway 160; and,

WHEREAS, the Public Hearing was closed on December 7, 1981, and the matter taken under advisement by the Commissioners and continued for decision until December 21, 1981, at 3 o'clock p.m.

WHEREAS, the Commissioners, after reviewing all of the testimony and the exhibits submitted in favor of and in opposition to the granting of the license, have made a decision in regard to said application.

NOW, THEREFORE, BE IT RESOLVED that the application submitted by Mildred Mae Lindsay for a Retail Liquor Store License at 4321 South U. S. Highway 160 be denied for the following reasons:

1. The applicant has failed to show that the needs of the neighborhood within the one-half mile radius as set by the Commissioners are not being met. Testimony received from persons at the hearing in opposition to the license indicate that although there is no similar outlet in the neighborhood, the area is primarily made up of rural residences and agricultural farms and that the majority of the inhabitants, as shown by the Petition in opposition to the license feel there is no need for such an outlet. It

utilize the Retail Liquor establishments in the nearby town of Cortez.

2. The applicant has failed to show that the inhabitants within the one-half mile radius desire such an outlet in the neighborhood. On the contrary, she stated that she decided to enlarge the area for her petitions to a three-mile radius because of the opposition and lack of support within the one-half mile radius established by the Commissioners. The applicant did not request an enlargement of the neighborhood until she appeared at the second hearing. The petition in opposition to the license and testimony from seven witnesses indicates that the inhabitants do not desire such an outlet.

3. The neighborhood was not enlarged to the three-mile radius as requested by the applicant for the reason that the applicant stated that the requests she received for liquor was mainly from the travelling public and it was the opinion of the Commissioners that the inhabitants within the one-half mile radius would be more affected by the existence of such an outlet than someone living within a three-mile radius. The Commissioners further noted that if the neighborhood was enlarged to a three-mile radius that the boundary on Road G would be a short distance from the Last Chance Liquor Store, which also fronts on U. S. Highway 160.

Commissioners voting Aye in favor of the Resolution were:

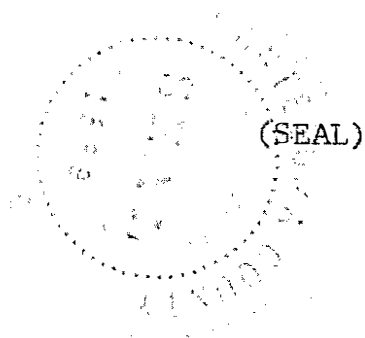
Commissioners voting Nay: None.

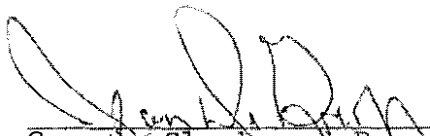

W. C. Bauer, Chairman


Roy W. Henneman

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 21st day of December, 1981.




County Clerk and Recorder of
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 14th day of December, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #22-81

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt Resolution #20-81, concerning seismographic exploration regulations, on November 23, 1981, and

WHEREAS, the Board of County Commissioners desire to amend said resolution to conform with Dolores County's seismographic exploration regulations.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, do hereby require an annual license for any and all seismographic activities permitted by the County in the County Road right-of-way. Said license shall have an annual renewable fee of \$750.00 to be paid to the County Treasurer and shall expire on December 31 of each year. A security bond in the amount of \$10,000.00 shall be provided to the County prior to the issuance of the license.

BE IT FURTHER RESOLVED that in addition to the above mentioned license, special use permits shall be required for each County Road actually used for testing purposes at a particular time. Approval of all the adjacent landowners shall be required prior to the issuance of said permits. The County Commissioners may revoke said license and permits in the event the licensee fails to comply with the terms of the license and/or permit.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

W. C. Bauer, Floyd M. Ray, and Roy W. Henneman
Signature Signature Signature

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 14th day of December, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #21-81

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt Resolution #19-80, concerning application fees on liquor & beer licenses, on July 28, 1980, and

WHEREAS, there was no allowance made for when the applicant applies for two separate license at the sametime.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Montezuma County, Colorado that effective immediately that any applicant applying for two separate licenses at the sametime will pay a total cost of \$500.00 for the application fee.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

[Signature], [Signature], and [Signature]
Signature Signature Signature

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 23rd day of November, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #20-81

WHEREAS, various seismographic exploration companies are interested in utilizing Montezuma County Road rights-of-way for purposes of exploration, and

WHEREAS, read permits are required for such use of County Road rights-of-way, and

WHEREAS, such exploration on County Roads results in expenses to the County for issuing and enforcing road permits and for road maintenance.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, do hereby require a permit for any and all seismographic activities permitted by the County in the County Road right-of-way. Said permits shall not be issued until all affected landowners on either side of the affected road have approved of said testing. Permit fees shall be determined by the County Commissioners and shall include such costs as permit handling and enforcement, potential road damage and number of miles of road used. A security bond or other acceptable means of guaranteeing required road repair and liability may also be stipulated.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

[Signature] [Signature] and [Signature]
Signature Signature Signature

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct

AGREEMENT

In consideration of the permit to conduct a designated activity of state interest or to engage in development in a designated area of state interest for the routing and location of a 345KV Transmission Line as requested in the application dated May 12, 1981, being granted by the Montezuma County Board of County Commissioners ("County"), and primarily for the protection of the landowners in Montezuma County, Colorado, over, under and upon which transmission line and system is to be constructed, Colorado-Ute Electric Association, Inc. ("Colo-Ute") agrees to adhere to the following stipulations.

1. There shall be a pre-construction conference with the contractor for said transmission line, Colo-Ute and the County.
2. Deviations from the route shown on maps identified by exhibit in the application for permit shall be approved by the Montezuma County Board of County Commissioners before any changes of routing occurs.
3. All timber and brush slash materials shall be disposed of in a manner as not to create a wild fire hazard.
4. Colo-Ute shall be responsible for all warning signs in accordance with standard practices or as may be otherwise required by the County.
5. All stones in excess of 2" in diameter shall be removed from the surface of all disturbed agricultural lands.
6. Revegetation shall be accomplished using the guidelines set by the U.S. Soil Conservation Service or the U.S. Forest Service except where the landowner requires other reasonable standards.
7. Colo-Ute shall be held responsible for all vegetation and reclamation for whatever period of time required.
8. Colo-Ute shall notify the County at least thirty (30) days prior to releasing the contractor from his obligation. A public notice of such intent shall be published in a newspaper of general circulation in the area at least thirty (30) days prior to such action.
9. Colo-Ute shall comply with all FAA regulations.
10. A.C.S.R. Conductor shall be non-specular except where otherwise required by the FAA.
11. Colo-Ute shall cooperate to the maximum extent feasible with the U.S. Forest Service to minimize adverse impacts on the national forest lands. The issuance of the permit by Montezuma County is not intended to reduce that responsibility by Colo-Ute.
12. All work including clean-up will be complied with within ninety (90) days of the completion of the transmission line.
13. It is agreed and understood between the parties that the above stipulations will inure to the benefit of the landowners who may give right-of-way grants to Colo-Ute for said transmission line as well as to the benefit of the County and Colorado-Ute.

14. Addresses for notices shall be as follows:

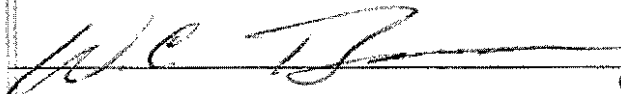
Montezuma County Board of County Commissioners
Montezuma County Courthouse
Cortez, Colorado 81321

Colorado-Ute Electric Association, Inc.
P.O. Box 1149
Montrose, Colorado 81401

This agreement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto.

DATED this 12th day of November, 1981.

Montezuma County Board of County Commissioners


Chairman

Colorado-Ute Electric Association, Inc.


Girts Krmins, Executive Vice Pres. - ~~President~~

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 9th day of November, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Floyd M. Ray, Roy Henneman

Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION TO APPROPRIATE SUMS OF MONEY #19-81

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS, IN THE AMOUNTS AS SET FORTH BELOW, FOR MONTEZUMA COUNTY, COLORADO, FOR THE 1982 BUDGET YEAR.

WHEREAS, The Commissioners have adopted the annual budget in accordance with the Local Government Budget Law, on October 5th, 1981 and have adopted the annual budget for Revenue Sharing Funds on October 5, 1981 and:

WHEREAS, the Commissioners have made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and:

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below so as not to impair the operations of the County:


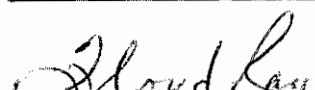
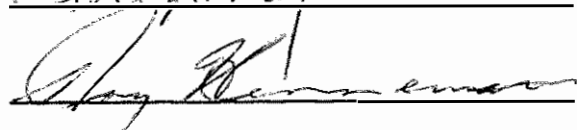
NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO, that the following sums are hereby appropriated from the revenue of each fund, to each fund, for current operating expenses:

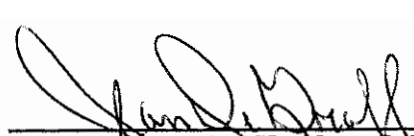
FUND	AMOUNT APPROPRIATED
General	\$1,757,226
Road and Bridge	1,089,263
Airport	21,000
Contingency	53,516
Revenue Sharing	139,000
Social Services	2,084,041
TOTAL	\$5,144,046

ADOPTED THIS 9th day of November, 1981.

Commissioners voting Aye in favor of the Resolution were: W.C. Bauer, Floyd M. Ray, and Roy Henneman.


Commissioners voting nay were none.


TEST: County Clerk and Recorder of
Montezuma County, Colorado.

I certify that the above and foregoing resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 9th day of November, 1981.


Clerk and Recorder

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 9th day of November, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Floyd M. Ray, and Roy Henneman

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION TO SET MILL LEVIES #18-81

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 1981, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 1982 BUDGET.

WHEREAS, the Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law, on the 5th day of October, 1981, and

WHEREAS, the amount of money necessary to balance the budget for general operating expenses is \$1,185,999, and:

WHEREAS, the amount of money necessary to balance the budget for debt retirement is none, and:

WHEREAS, the 1981 valuation for assessment for Montezuma County, as certified by the County Assessor is \$54,055,830.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of Montezuma County during the 1982 budget year, there is hereby levied a tax of 21.936 mills as stated below upon each dollar of the total valuation for assessment of all taxable property within the County for the year 1981.


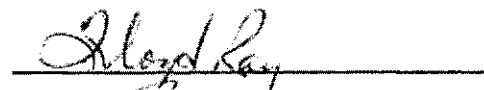
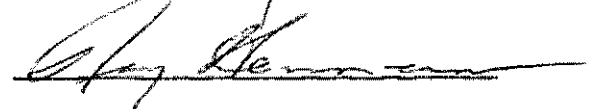
Section 2. That for the purpose of meeting all debt retirement expenses of Montezuma County during the 1982 budget year, there is hereby levied a tax of No mills upon each dollar of the total valuation for assessment of all taxable property within the County for the year 1981.


FUND	MILL LEVY
General	18.360
Road and Bridge	.500
Social Services	2.950
Contingency	.126
Total	21.936 Mills

Adopted, this 9th day of November, 1981.

Commissioners voting aye in favor of the resolution were: W.C. Bauer, Floyd M. Ray, and Roy Henneman.

Commissioners voting nay were none.


Attest: County Clerk and Recorder of
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13th day of October, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Floyd M. Ray
and ~~Roy Henneman~~

Commissioners absent: None Roy Henneman

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #17-81

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, AND ADOPTING A BUDGET FOR MONTEZUMA COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 1982, AND ENDING ON THE LAST DAY OF DECEMBER, 1982.

WHEREAS, the Commissioners of Montezuma County, Colorado, have appointed Marge Ketchem to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Mrs. Ketchem has submitted a proposed budget to this governing body on September 28, 1981 for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 5, 1981, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increase was added to the revenues so that the budget remains in balance, as required by law.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO;

Section 1. That estimated expenditures for each fund are as follows:

<u>FUND</u>	<u>AMOUNT</u>
General	\$1,719,694.00
Road & Bridge	1,080,138.00
Airport	21,000.00
Contingency	46,705.00
Social Services	2,084,041.00

Section 2. That estimated revenues for each fund are as follows:

	<u>From Unappropriated Sources other</u>	<u>Gen Prop</u>
	<u>Surplus</u>	<u>Tax Levy</u>
General	\$311,274	\$992,691
Road & Bridge	153,939	27,032
Airport	21,000	

October 13, 1981

Section 4. That the budget hereby approved and adopted shall be signed by the Commissioners, Montezuma County, Colorado, and made a part of the public records of the County.

ADOPTED, this 13th day of October, 1981.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Floyd M. Ray, and

Roy Henneman.

Commissioners voting Nay: None

W. C. Bauer, Floyd M. Ray, and

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 19th day of October, 1981, with the following persons in attendance:

Commissioners: William C. Bauer, Floyd M. Ray
and ~~Ray Hansen~~.

Commissioners absent: ~~Ray Hansen~~

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #16-81

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR REVENUE SHARING FUND AND ADOPTING A BUDGET FOR REVENUE SHARING FUND FOR MONTEZUMA COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 1982 AND ENDING ON THE LAST DAY OF DECEMBER, 1982.

WHEREAS, The Commissioners of Montezuma County, Colorado have appointed Gale W. Greenlee, C.P.A. to prepare and submit a proposed budget to said governing body at the proper time and;

WHEREAS, Mr. Greenlee has submitted a proposed budget for Revenue Sharing funds to this governing body on September 28, 1981 for its consideration, and;

WHEREAS, a public hearing for proposed uses of Revenue Sharing fund was held on September 28, 1981, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 5, 1981 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increase was added to the revenues so that the budget remains in balance, as required by law.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. That estimated expenditures for Revenue Sharing are as follows:

Ending Balance	\$ 37,452.00
Libraries	14,000.00
General Fund	125,000.00
Total	<u>\$ 176,452.00</u>

Section 2. That estimated revenues for Revenue Sharing fund are as follows:

Beginning Balance	\$ 52,452.00
Federal Grants	120,000.00
Interest Earnings	4,000.00
Total	<u>\$ 176,452.00</u>

RESOLUTION #15-81

October 13, 1981

Section 3. That the budget as submitted and herinabove summarized, be and the same hereby is approved and adopted as the Revenue Sharing budget of Montezuma County, Colorado, for the year stated above.

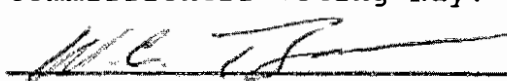
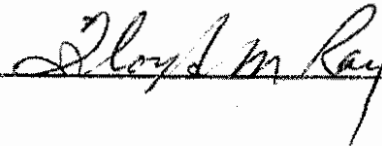
Section 4. That the budget hereby approved and adopted shall be signed by the Commissioners, Montezuma County, Colorado and made a part of the public records of the County.

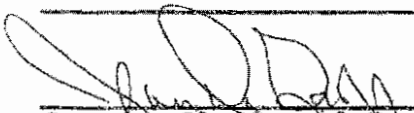
Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Floyd M. Ray, and

~~Roy K. Hansen~~.

Commissioners voting Nay: None

, , and


County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13th day of October, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Floyd Ray, Roy Henneman
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Attorney: Grace S. Merlo
County Administrator: Michael R. Lee

The following proceedings, among others, were taken:

RESOLUTION # 15-81

WHEREAS: The Board of County Commissioners of Montezuma County, Colorado, desire to issue to Colorado-Ute Electric Association, Inc., a permit to locate and construct a 345KV Transmission Line in Montezuma County, in accordance with the application submitted by Colorado-Ute and along the general route as shown by Exhibit A, except that portion north from the proposed 345KV substation at Lost Canyon to the point of intersection with the existing 230KV WAPA line; and

WHEREAS: A public hearing was held the 8th of September, 1981 and continued to September 21, 1981 to hear those in favor and those in opposition.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Montezuma County, Colorado, after the public hearing on the above noted application for the permit to construct and locate a 345KV Transmission Line in Montezuma County, do hereby grant to Colorado-Ute a permit as noted above with the following stipulations:

1. There shall be a pre-construction conference with the contractor for said transmission line, Colo-Ute and the County.
2. Deviations from the route shown on maps identified by exhibit in the application for permit shall be approved by the Montezuma County Board of County Commissioners before any changes of routing occurs.
3. All timber and brush slash materials shall be disposed of in a manner as not to create a wild fire hazard.
4. Colo-Ute shall be responsible for all warning signs in accordance with standard practices or as may be otherwise required by the County.
5. All stones in excess of 2" in diameter shall be removed from the surface of all disturbed agricultural lands.
6. Revegetation shall be accomplished using the guidelines set by the U.S. Soil Conservation Service or the U.S. Forest Service except where the landowner requires other reasonable standards.
7. Colo-Ute shall be held responsible for all vegetation and reclamation for whatever period of time required.
8. Colo-Ute shall comply with all FAA regulations.

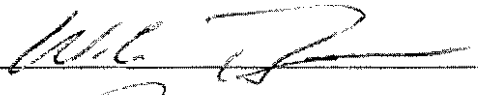

9. Colo-Ute shall notify the County at least thirty (30) days prior to releasing the contractor from his obligation. A public notice of such intent shall be published in a newspaper of general circulation in the area at least thirty (30) days prior to such action.

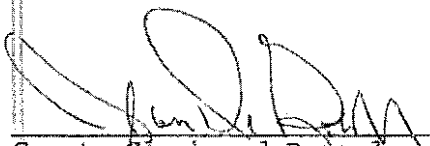
10. A.C.R.S. Conductor shall be non-specular except where otherwise required by the FAA.

11. Colo-Ute shall cooperate to the maximum extent feasible with the U.S. Forest Service to minimize adverse impacts on the national forest lands. The issuance of the permit by Montezuma County is not intended to reduce that responsibility by Colo-Ute.

12. All work including clean-up will be complied with within ninety (90) days of the completion of the transmission line.

Commissioners voting aye in favor of the resolution were:

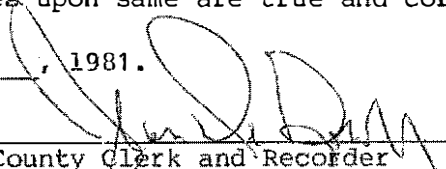





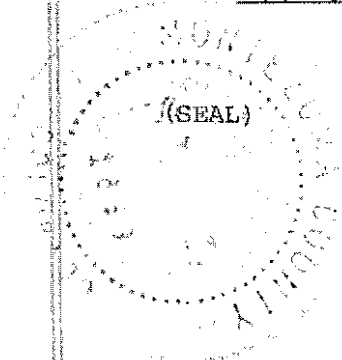
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 2nd day of Nov., 1981.



County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 31st day of August, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman
and Floyd M. Ray.

Commissioners absent: _____

County Clerk and Recorder: Jean DeGarff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #14-81

WHEREAS: The Board of County Commissioners of Montezuma County have adopted a Manual of Personnel Policies; and,

WHEREAS: Section 4.12 of said regulations concerning disability does not provide for disability leave other than loss time compensation under the Workman's Compensation Law which compensation is for only a fraction of actual lost time; and,

WHEREAS: The Board has carefully reviewed this matter and finds that Disability Leave for eligible employees up to 180 work days is in the best interests of the employees and will not cause undue financial hardship on the County.

NOW, THEREFORE, BE IT RESOLVED that Section 4.12 shall be amended to provide disability leave of up to 180 work days for all regular employees. The Manual of Personnel Policies of Montezuma County shall be amended as per the attached amendment.

AMENDMENT

Section 4.12 and 4.12.1

Delete the present sections and substitute the following:

4.12

Disability Leave: Regular employees shall be granted disability leave with full pay under the Workman's Compensation Laws for injuries or occupational diseases incurred in the course of employment up to 180 work days. All Workman's Compensation benefits due from the State Workman's Compensation Insurance program during this disability leave period shall be deposited with the County Treasurer.

4.12.1

For Eligible employees who are disabled in excess of 180 work days, sick leave and vacation leave may be used in proportion to that part of their monthly salary not covered by Workman's Compensation. When all disability leave and accrued sick and vacation leave benefits are used, the employee shall be considered as "on leave without pay."

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and
Floyd M. Ray.

Commissioners voting Nay: None

W. C. Bauer
Signature

Roy W. Henneman
Signature

and

Floyd M. Ray
Signature

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 24th day of August, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION # 13-81

WHEREAS: The Board of County Commissioners of Montezuma County, Colorado, desire to issue to Shell Pipe Line Corporation a permit to locate and construct a CO2 transmission Pipeline and appertenances in Montezuma County from the Arriola area to the LaPlata County line; and

WHEREAS: A Public Hearing was held August 4th and continued to August 17th and further continued to August 24th to hear those in favor and those in opposition; and

WHEREAS: There were no objections stated to the granting of this permit.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Montezuma County, Colorado, after a public hearing on the above noted application for a permit to locate and construct a CO2 pipeline in Montezuma County, do hereby grant to Shell Pipe Line Corporation a permit for the above noted purpose.

BE IT FURTHER RESOLVED: That the attached agreement between Shell Pipe Line Corporation and Montezuma County dated August 24, 1981 is hereby made a part of this resolution.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

[Signature] [Signature] and [Signature]
Signature Signature Signature

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 24th day of August, 1981, with the following persons in attendance:

Commissioners: W.C. Bauer, Floyd Ray, Roy Henneman
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Attorney: Grace S. Merlo
County Administrator: Michael Lee

The following proceedings, among others, were taken:

RESOLUTION # 12-41

WHEREAS: The Board of County Commissioners of Montezuma County, Colorado, desire to issue to Empire Electric Association a permit to locate and construct a 115KV Transmission Line in Montezuma County according to the maps and exhibits as presented with the application: and

WHEREAS: A Public Hearing was held on August 4, 1981 and continued to August 24th to hear those in favor and those in opposition.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Montezuma County, Colorado, after a public hearing on the above noted application to locate and construct a 115KV Transmission Line do hereby grant to Empire Electric Association, Inc. a permit for the above noted purpose with the following stipulations:

1. There shall be a pre-construction conference with the contractor for said transmission line, Empire Electric and Montezuma County.
2. Deviations from the route shown on maps identified by Exhibit in the application for permit shall be approved by the Montezuma County Board of County Commissioners before any changes of routing occurs.
3. All timber and brush slash materials shall be disposed of in a manner as not to create a wild fire hazard.
4. Empire Electric shall be responsible for all hazard signing in accordance with standard practices or as may be otherwise required by the County.
5. All stones in excess of 2" in diameter shall be removed from the surface of all disturbed agricultural lands.
6. Revegetation shall be accomplished using the guidelines set by the U.S. Soil Conservation Service except where the land owner requires other reasonable standards.
7. Empire Electric shall be held responsible for all revegetation and reclamation for whatever period of time required.
8. Empire Electric shall notify the County at least thirty (30) days prior to releasing the contractor from his obligation. A public notice of such intent shall be published in a newspaper of general circulation in the area at least thirty (30) days prior to such action.
9. Empire Electric shall, in conformance with FAA requirements, erect fluorescent orange safety markers on spans across all canyon crossings.
10. H-frame construction shall be required from Lost Canyon Substation to a point $\frac{1}{2}$ mile east of Lebanon Road, except as may be otherwise agreed with landowner. Single pole construction from this point to $\frac{1}{4}$ mile east of Main Station shall be required, except where necessary to change H-frame for canyon crossings.

Single pole construction shall be required along all dryland cultivated areas except where small tracts can be crossed with-

11. A.C.S.R. Conductor shall be non-specular except on long span canyon crossings where visibility is necessary for aircraft safety.
12. All power lines shall be designed to clear existing orchards without the need to remove fruit trees or drastically prune them.

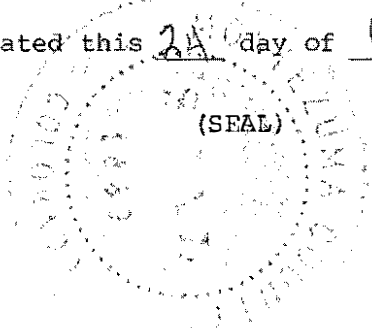
Commissioners voting aye in favor of the Resolution were:

W.C. T. [Signature]
Elmer J. Ray
[Signature]

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 24 day of August, 1981.



[Signature]
County Clerk and Recorder
Montezuma County, Colorado

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
) SS.
)

See. #11-81

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Courthouse, Center, Colorado, on Monday, July 20, 1981, at 9:00 a.m. There were present at the meeting the following:

Present:

Chairman:

Bill Baver

Other Commissioners:

Floyd Ray

Roy Henneman

Absent:

none

constituting all the members thereof.

There were also present:

County Clerk:

Jean DeGraft

County Attorney:

Grace Merlo

Commissioner Henneman introduced the following resolution, the text of which is as follows:

RESOLUTION NO. 11-81

A RESOLUTION SETTING FORTH THE INTENTION OF MONTEZUMA COUNTY, COLORADO, TO ISSUE MULTI-FAMILY HOUSING REVENUE BONDS

WHEREAS, Montezuma County, Colorado (the "County") is authorized by Article 3, Title 29, Colorado Revised Statutes 1973, as amended (the "Act"), to finance residential facilities for low and middle-income families or persons intended for use as the sole place of residence by the owners or intended occupants to the end that more adequate residential housing facilities for low and middle-income families and persons may be provided which promote the public health, welfare, safety, convenience and prosperity; and

WHEREAS, the County is further authorized by the Act to issue its revenue bonds for the purpose of defraying the cost of financing any such project or projects; and

WHEREAS, the County deems it necessary and advisable to establish a program to finance residential rental facilities for low and middle-income families and persons within the County (the "Program"), authorizing the County to lend proceeds of such revenue bonds to financial institutions participating in the Program under circumstances requiring such financial institutions to lend such moneys to individuals or entities to finance the acquisition of multi-family residential rental facilities within the County; and

WHEREAS, the County desires to provide for the implementation of the Program and to declare its intention to authorize the issuance of its revenue bonds pursuant to the Act for the purpose of paying the cost of the Program upon such terms and conditions as may be established by the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. The County shall take all necessary or advisable steps to effect the issuance of revenue bonds pursuant to the Act (the "Bonds") in the maximum aggregate principal amount of \$6,000,000 or such lesser amount as shall be determined and agreed upon by the County and Coughlin and Company Inc. ("Coughlin") for the purpose of financing the Program, the issuance and sale of the Bonds to be authorized by a resolution or resolutions of the Board of County Commissioners of the County.

Section 2. The County intends to sell the Bonds to Coughlin, together with any other underwriters of municipal securities as may be selected by the County, provided that the Bonds can be successfully underwritten on terms and conditions satisfactory to all parties involved in the authorization, issuance, sale and delivery of the Bonds. The County shall not be liable to Coughlin and any other such underwriters for any expenses incurred in connection therewith.

Section 3. The County appoints Sherman & Howard, Denver, Colorado, as bond counsel with respect to the issuance of the Bonds.

Section 4. The Chairman of the Board of County Commissioners and the County Clerk are authorized to take all action necessary to exercise the authority conferred by this resolution and to execute and deliver all documents necessary to evidence the exercise thereof.

Section 5. The issuance of the Bonds is subject in all respects to the approval by the County of all agreements and other documents to be reasonably necessary for the issuance of the Bonds, the execution and delivery of such agreements and documents to be authorized by a resolution or resolutions of the Board of County Commissioners of the County.

Section 6. The Bonds and the interest thereon shall never constitute the debt or indebtedness of the County within the meaning of any provision or limitation of the Constitution or statutes of the State of Colorado and shall not give rise to a pecuniary liability of

the County or a charge against its general credit or taxing powers, but shall be secured and payable solely from the revenues and other amounts derived from or related to the Program.

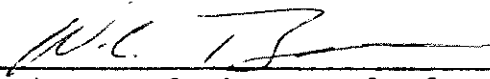
Section 7. Nothing contained in this resolution nor any action taken pursuant thereto shall create a financial obligation or cost to be borne by the County or shall constitute the debt or indebtedness of the County within the meaning of any provision or limitation of the Constitution or statutes of the State of Colorado or give rise to a pecuniary liability of the County or a charge against its general credit or taxing powers.

Section 8. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the resolution.

Section 9. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution, or part thereof heretofore repealed.

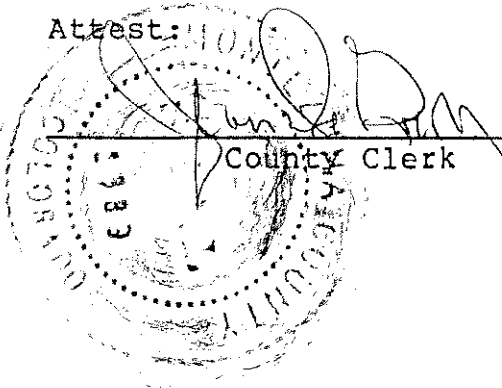
Section 10. This resolution shall become effective immediately upon its adoption and approval.

INTRODUCED, READ, PASSED AND ADOPTED this 20th day of July, 1981.


Chairman of the Board of County Commissioners

(SEAL)

Attest:


County Clerk

Whereupon it was moved by Commissioner Henneman and seconded by Commissioner Ray that all rules of the Board of County Commissioners which might prevent, unless suspended, the final passage and adoption of the resolution at this meeting be suspended for the purpose of permitting the final passage and adoption of the resolution at this meeting. The motion was put to a vote, the vote being as follows:

Those Voting Yes:

Henneman
Ray
Bauer

Those Voting No:

none

Those Absent:

none

A motion to adopt the foregoing resolution was then duly made by Commissioner Henneman and duly seconded by Commissioner Ray, and was put to a vote, the vote being as follows:

Those Voting Yes:

Henneman
Ray
Bauer

Those Voting No:


none

Those Absent:

none

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.


After the consideration of other business unrelated to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.



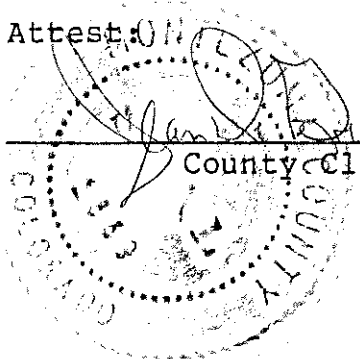
Chairman of the Board of County
Commissioners

(SEAL)

Attest: (M)



County Clerk



STATE OF COLORADO

)
) SS.
)

I, JEAN DUGASS

20

County Clerk



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of
Montezuma County, Colorado, duly convened and held the 20th day of
July, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #10-81

RESOLUTION OF THE COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA, COLORADO

WHEREAS, on the 6th of July, 1981, Empire Electric Association, Inc., requested of Montezuma County that they pass a Resolution vacating a portion of Madison Avenue and Second Street in the old Arriola Subdivision, and

WHEREAS, certain ambiguities have arisen as to whether said streets were ever vacated, and

WHEREAS, Empire Electric Association is buying certain real estate with the legal description hereinafter described, and

WHEREAS, subject portion of Madison Avenue and Second Street of the Arriola Subdivision have never been utilized as streets although described as such in the original plat, and

WHEREAS, C.R.S. §43-2-303, 1973 as amended, provides that the Board of County Commissioners of any county may vacate any roadway or any part thereof located entirely within said county if such roadway is not within the limits of any city and town, and

WHEREAS, the Arriola Subdivision was never within the limits of any incorporated city and town, and

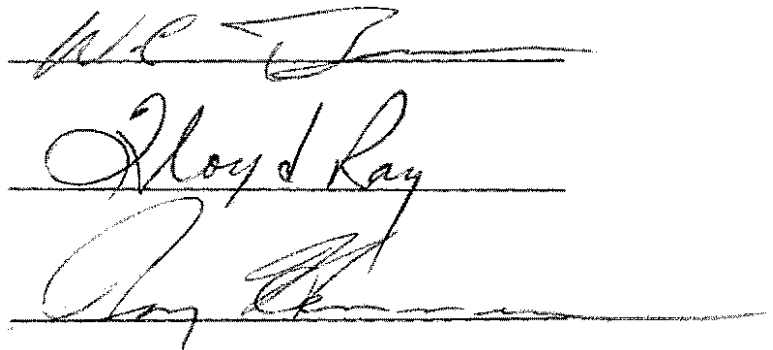
WHEREAS, C.R.S. 1973 §43-2-302 provides that in the event less than the entire width of a roadway is vacated, title to the vacated portion shall vest in the owners of the land abutting such vacated portion, and

WHEREAS, Mountain View Primitive Baptist Church, Incorporated, a Colorado Non-Profit corporation, owns the land described in the hereinafter stated legal description abutting the portion to be vacated,

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Montezuma County that all that portion of Madison Avenue and Second Street lying within the hereinafter stated legal description, known as part of the old Arriola Subdivision, Montezuma County, Colorado, be and hereby is vacated, and that all right, title and interest in such property, if any the County may have, is hereby assigned, conveyed, transferred and forever quitclaimed to Mountain View Primitive Baptist Church, Incorporated, a Colorado Non-Profit corporation, as provided by law.

DONE THIS 20th DAY OF JULY, 1981.

MONTEZUMA COUNTY COMMISSIONERS


The block contains three handwritten signatures, each written over a horizontal line. The first signature is 'W.C. Jones', the second is 'Hoyd Ray', and the third is 'Ray Thomas'.

That part of the NW~~1~~⁴ of Section 29, Township 37 North, Range 16 West, of the New Mexico Principal Meridian, beginning at a point 200 feet south of the Northwest Corner of said Section 29, thence East 345 feet; thence South 130 feet; thence West 345 feet; thence North 130 feet to the point of beginning, excepting roads as now constructed on the West side of said property.

Said exception being more particularly described as follows:

Beginning at a point 200.0 feet south of the Northwest Corner of said Section 29, thence East 14.31 feet; thence along a curve to the left, having a radius of 6564.22 feet and a central angle of 1°11'33" (chord bears S.17°53'20"E. 136.60 feet); thence West 56.28 feet; thence North 130 feet to the point of beginning.

Also known as a portion of the Arriola Subdivision, as platted and recorded in Montezuma County, Colorado; being more particularly described as follows:

The south 90.0 feet of Block 4 of said subdivision; together with the easterly 40.0 feet of 1st Street from a point 200.0 feet southerly of the centerline intersection of 1st Street and Washington Avenue of said subdivision to the centerline intersection of 1st Street and Madison Avenue; together with the North 40.0 feet of Madison Avenue from the easterly line of 1st Street to a point lying 10.0 feet westerly of the centerline intersection of 2nd Street and Madison Avenue; and together with the Westerly 30.0 feet of 2nd Street from the northerly line of Madison Avenue to a point lying north 90.0 feet from said northerly line.

Excepting roads as now constructed on the West side of said property, said exception being more particularly described as follows:

Beginning at a point 200.0 feet south of the Northwest Corner of said Section 29; thence East 14.31 feet; thence along a curve to the left, having a radius of 6564.22 feet and a central angle of 1°11'33" (chord bears S.17°53'20"E. 136.60 feet); thence West 56.28 feet; thence North 130 feet to the point of beginning.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and
Floyd M. Ray.

Commissioners voting Nay: None

W.C. Bauer, Roy W. Henneman, and
Signature Signature

Floyd M. Ray
Signature

W.C. Bauer
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 15th day of June, 1981, with the following persons in attendance:

Commissioners: W. C. Bauer, Floyd Ray, Roy Henneman
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Attorney: Grace S. Merlo

The following proceedings, among others, were taken:

RESOLUTION 9-81

WHEREAS: Montezuma County has adopted regulations requiring permits for site selection and construction of major microwave stations, electric transmission lines, pipelines, power plants, pumping stations, and related facilities; and

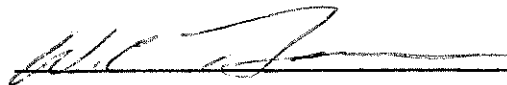
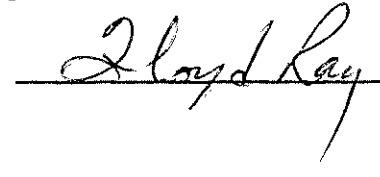
WHEREAS: Said regulations provide for the collection of fees to cover all costs incurred by the County for review and approval of the permit application, including all hearings conducted therefore; and

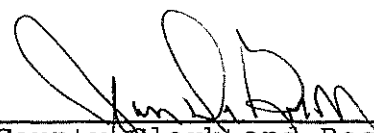
WHEREAS: The various permits reviewed and approved to date have resulted in costs incurred by the County significantly higher than estimated and charged the applicants:

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Montezuma County, Colorado do hereby require a minimum permit application fee of \$500.00 for site selection and construction of major microwave stations, electric transmission lines, pipelines, power plants, pumping stations, and related facilities:

BE IT FURTHER RESOLVED: That in determining said permit fees ALL costs to be incurred by the County be considered, including but not limited to : public hearings, public meetings, printing and advertising, mailing, telephone charges, staff time and secretarial assistance.

Commissioners voting aye in favor of the resolution were:


County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 8th day of June, 1981, with the following persons in attendance:

Commissioners: W.C. Bauer, Floyd Ray, Roy Henneman

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

The following proceedings, among others, were taken:

RESOLUTION # *P-81*

WHEREAS: The Board of County Commissioners of Montezuma County, Colorado, desire to issue to Shell Pipe Line Corporation a permit to locate and construct a CO₂ transmission Pipeline and appurtenances in Montezuma County from the Arriola area to the LaPlata County line; and

WHEREAS: A Public Hearing was held May 11th and continued to June 1st to hear those in favor and those in opposition; and

WHEREAS: There were no objections stated to the granting of this permit:

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Montezuma County, Colorado, after a public hearing on the above noted application for a permit to locate and construct a CO₂ pipeline in Montezuma County, do hereby grant to Shell Pipe Line Corporation a permit for the above noted purpose with the following stipulations:

1. There shall be a pre-construction conference with the contractor for said pipeline, Shell Pipe Line Corporation, and Montezuma County.
2. All special permits shall be secured including County road crossing permits before construction begins.
3. Deviation from the route shown on maps identified by Exhibit "A" in the application shall be approved by the Montezuma County Board of Commissioners before any changes of routing occurs.
4. "Double Ditching" shall be used in trenching all agricultural lands.
5. All timber and brush slash materials shall be disposed of in a manner as not to create a wild fire hazard.
6. No trench shall remain open more than twenty-four (24) working days without approval from the County,
7. Shell Pipeline Corporation shall be responsible for all hazard signing in accordance with standard practices or as may be otherwise required by the County.
8. Reclamation shall include the following:
 - (a) In double trenched areas the excavated top soil shall be returned to the trench last. In no case shall it be used for pipe bedding.
 - (b) All stones in excess of 2" in diameter shall be removed from the surface of all disturbed agricultural lands.
 - (c) All disturbed land surfaces shall be returned to the original surface contour with adequate compaction and settling accomplished.
 - (d) Revegetation shall be accomplished using the guidelines set by the U.S. Soil Conservation Service except where the land owner requires other reasonable standards.

R E S O L U T I O N # 7 - 8 1

BY THE BOARD OF COUNTY COMMISSIONERS

COUNTY OF MONTEZUMA, STATE OF COLORADO

The Board of County Commissioners, County of Montezuma, State of Colorado, convened at the County Courthouse in Cortez, Colorado, on Monday, the 4th day of May, 1981. At said meeting there were present the following Commissioners: Floyd M. Ray, W. C. Bauer, and Roy W. Henneman, who constitute and are all the Board of Commissioners of the said County.

THEREUPON, the Chairman of the said Board of County Commissioners announced that said Commissioners had been called to meet as a Board of Health as well as a Board of Commissioners for said County, and,

THEREUPON, on motion duly seconded, it was unanimously,

RESOLVED, that the Board of County Commissioners of the County of Montezuma, State of Colorado, do hereby now convene and sit as a Board of Health for the County of Montezuma as well as the Board of County Commissioners for said County.

THEREUPON, the Chairman of the Board stated that the McPhee cemetery, located within the County of Montezuma, State of Colorado, has been abandoned, that the cemetery had become commons and that said cemetery was needed for another public purpose and that he believed for these reasons that said cemetery should be vacated in accordance with the terms and provisions of 1973 Colorado Revised Statutes, 25-1-655, 25-1-656, 25-1-657, 25-1-658 thereof as amended.

THEREUPON, on motion duly seconded, it was unanimously,

RESOLVED, that the remains of all deceased persons buried in the McPhee Cemetery, County of Montezuma, State of Colorado, should be removed therefrom for the reasons that said cemetery is abandoned, that the cemetery had become commons and that said cemetery is needed for another public purpose, and be it further,

Page Two - Resolution
Board of County Commissioners - County of Montezuma


Revised Statutes, 25-1-655, 656, 657 and 658 thereof as amended,
and that said petition seek the order of the County Court of Montezuma
County for the vacation of said cemetery, and be it further,


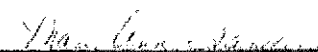
RESOLVED, that the removal of the remains from said cemetery
and the reinterment of said remains and the provision of the necessary
burial ground shall be arranged at no expense to the next of kin of
the decedents interred in said cemetery.

Unanimously passed, adopted, approved and ordered filed and
spread on the minutes.


Chairman of the Board


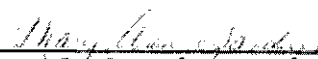

Commissioner

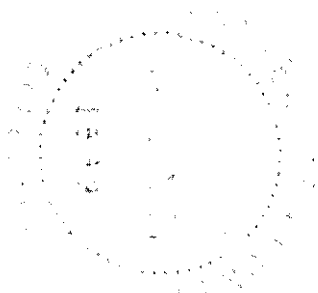

Commissioner

 
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of
same as it appears in the minutes of the Board of County Commissioners
of Montezuma County, Colorado, and the votes upon same are true and
correct.

Dated this 4th day of May, 1981

 
County Clerk and Recorder
Montezuma County, Colorado



R E S O L U T I O N # 6 - 81

BY THE BOARD OF COUNTY COMMISSIONERS

COUNTY OF MONTEZUMA, STATE OF COLORADO

The Board of County Commissioners, County of Montezuma, State of Colorado, convened at the County Courthouse in Cortez, Colorado, on Monday, the 4th day of May, 1981. At said meeting there were present the following Commissioners: Floyd M. Ray, W. C. Bauer, and Roy W. Henneman, who constitute and are all the Board of Commissioners of the said County.

THEREUPON, the Chairman of the said Board of County Commissioners announced that said Commissioners had been called to meet as a Board of Health as well as a Board of Commissioners for said County, and

THEREUPON, on motion duly seconded, it was unanimously,

RESOLVED, that the Board of County Commissioners of the County of Montezuma, State of Colorado, do hereby now convene and sit as a Board of Health for the County of Montezuma as well as the Board of County Commissioners for said County.

THEREUPON, the Chairman of the Board stated that the Johnson Family Cemetery, located within the County of Montezuma, State of Colorado, endangers the health of the people and is in danger of damage, destruction, desecration, or obliteration and that said cemetery was needed for another public purpose and that he believed for these reasons that said cemetery should be vacated in accordance with the terms and provisions of 1973 Colorado Revised Statutes, 25-1-655, 25-1-656, 25-1-657, and 25-1-658 thereof as amended.

THEREUPON, on motion duly seconded, it was unanimously,

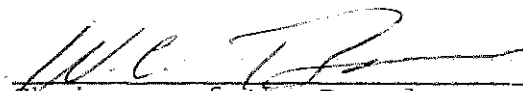
RESOLVED, that the remains of all deceased persons buried in the Johnson Family Cemetery, County of Montezuma, State of Colorado, should be removed therefrom for the reasons that said cemetery endangers the health of the people and is in danger of damage, destruction, desecra-

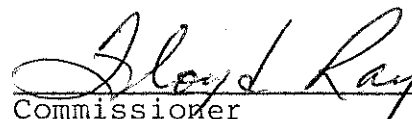
Page Two - Resolution
Board of County Commissioners - County of Montezuma

in accordance with the provisions of the above-mentioned 1973 Colorado Revised Statutes, 25-1-655, 656, 657 and 658 thereof as amended, and that said petition seek the order of the County Court of Montezuma County for the vacation of said cemetery, and be it further,

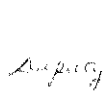
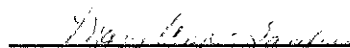
RESOLVED, that the removal of the remains from said cemetery and the reinterment of said remains and the provision of the necessary burial ground shall be arranged at no expense to the next of kin of the decedents interred in said cemetery.

Unanimously passed, adopted, approved and ordered filed and spread on the minutes.


Chairman of the Board

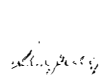
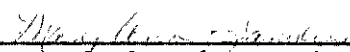

Commissioner

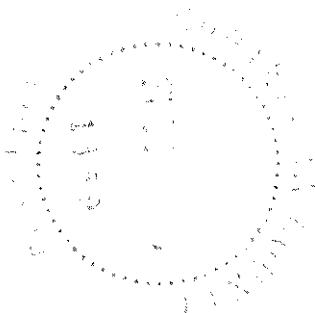

Commissioner



County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 4th day of May, 1981



County Clerk and Recorder
Montezuma County, Colorado



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13th day of April, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman,
and Floyd M. Ray.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #5-81

WHEREAS, Cedar Crest Ranches Subdivision Unit One has been properly subdivided, approved and filed, and

WHEREAS, In order to satisfy the U.S. Water and Power Resources need for lands necessary to protect elements of the Dolores River Project, and

WHEREAS, An amended plat is hereby submitted making various lot size changes and size, and creating an additional lot identified as lot 20, and

WHEREAS, Said lot 20 does not abut a public road, however said lot will be used only for open space, and

WHEREAS, All of the changes are compatible with the County Subdivision Regulations.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Montezuma County hereby approve the afore mentioned amended subdivision plat and further permit the creation of lot 20 as not abutting a public road as access to this lot used for open space is not required.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and Floyd M. Ray

Commissioners voting Nay: None

W. C. Bauer Signature Floyd M. Ray Signature and Roy W. Henneman Signature

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

MEMORANDUM
OF
UNDERSTANDING

WHEREAS: Empire Electric Association, Inc. and Shell Oil Pipeline Corporation are making applications in both Dolores and Montezuma Counties to Locate and Construct facilities of public utility; and

WHEREAS: These facilities will be located in both counties and should have common point of exit and point of entrance; and

WHEREAS: Both counties have common interests in these facilities and desire to accomplish good planning for the benefit of all concerned.

NOW THEREFORE BE IT RESOLVED: That neither Montezuma County nor Dolores County will act unilaterally in granting said permits without first having reached reasonable agreements as to the location of said facilities and have jointly conferred on these matters.

W.C. T. [Signature] Chairman
Montezuma County Board of Commissioners

Date 3-30-81

Attest: [Signature]
Montezuma County Clerk

[Signature] Chairman
Dolores County Board of Commissioners

Date 4-6-81

Attest: Cara M. Sanders

See # 4-81

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at 101 West Main Street, Cortez, Colorado, on Monday, March 16, 1931, at 11:00 a.m.

There were present at said meeting the following:

Present:

Chairman:	Bill Bauer
Other Commissioners:	Floyd Ray
	Roy Henneman

Absent:

There were also present:

County Clerk:	Jean DeGraff
County Attorney:	Grace Merlo

Commissioner Grace introduced the following resolution, the text of which is as follows:

RESOLUTION NO. 4-11

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF MONTEZUMA COUNTY, COLORADO INDUSTRIAL DEVELOPMENT REVENUE BONDS (NIELSONS, INC. PROJECT) SERIES 1981 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,600,000 TO FINANCE THE PURCHASE OF A PROJECT FOR NIELSONS, INC.; RATIFYING CERTAIN ACTION HERETOFORE TAKEN; AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF A FINANCING AGREEMENT, INDENTURE OF TRUST, SUCH BONDS AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO THE PROJECT; AND REPEALING ACTION HERETOFORE TAKEN IN CONFLICT HEREWITH.

WHEREAS, Montezuma County, Colorado (the "County") is authorized by the Colorado County and Municipality Development Revenue Bond Act, constituting Sections 29-3-101 through 29-3-123, inclusive, Colorado Revised Statutes 1973, as amended (the "Act"), to finance one or more projects to promote industry and develop trade or other economic activity by inducing manufacturing, industrial, commercial or business enterprises to locate, expand or remain in the State of Colorado, to mitigate the serious threat of extensive unemployment in parts of the State of Colorado, to secure and maintain a balanced and stable economy in all parts of the State of Colorado or to further the use of its agricultural products or natural resources; and

WHEREAS, the County is further authorized by the Act to issue revenue bonds for the purpose of defraying the cost of financing any project and all incidental expenses incurred in issuing such bonds, and to secure payment of such bonds as provided in the Act; and

WHEREAS, Nielsons, Inc., a Colorado corporation (the "Company"), and a wholly-owned subsidiary of SCREG Finance Corporation, has presented to the County a proposal whereby the County will, pursuant to the Act, finance the purchase by the Company of certain real and personal property (the "Project") of Nielsons Inc., a Colorado corporation and a wholly-owned subsidiary of Ashland Oil, Inc., which Project will be located within the County and will be used for and in connection with the commercial and business enterprise of carrying on a construction business, and which Project qualifies as a "project" within the meaning of the Act; and

WHEREAS, the County proposes to finance the purchase of the Project by the issuance of its Montezuma County, Colorado Industrial Development Revenue Bonds (Nielsons, Inc. Project) Series 1981 in the aggregate principal amount of \$2,600,000 (the "Bonds"); and

WHEREAS, on January 14, 1980, the Board of County Commissioners of the County adopted a resolution expressing willingness to issue the Bonds to finance the purchase of the Project; and

WHEREAS, concurrently with the issuance of the Bonds, the Company will enter into a Financing Agreement dated as of March 1, 1981 (the "Financing Agreement") with the County and will issue a promissory note (the "Note") under the Financing Agreement providing for payments sufficient to pay the principal of and interest on the Bonds and to meet other obligations as herein and therein provided; and

WHEREAS, there have been presented to the Board of County Commissioners (i) the proposed form of the Financing Agreement, including the form of the Note attached thereto as Exhibit B, (ii) the proposed form of the Indenture of Trust dated as of March 1, 1981, between the County and American Security Bank, N.A., as trustee (the "Trustee"), and (iii) the

proposed form of Irrevocable Letter of Credit, Letter of Credit No. 6128603, (the "Letter of Credit") to be issued by Continental Illinois National Bank and Trust Company of Chicago.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of the County directed toward the financing of the purchase of the Project and the issuance and sale of the Bonds therefor be, and the same is hereby, ratified, approved and confirmed.

Section 2. The County shall finance the cost of the purchase of the Project and incidental issuing expenses by loaning the proceeds of the Bonds to the Company in accordance with the provisions of the Financing Agreement for the purposes described above.

Section 3. To defray the cost of financing the purchase of the Project and incidental issuing expenses, there is hereby authorized and created an issue of industrial development revenue bonds designated "Montezuma County, Colorado Industrial Development Revenue Bonds (Nielsons, Inc. Project) Series 1981" in the aggregate principal amount of \$2,600,000, issuable as fully registrable bonds without coupons in the denominations of \$100,000 and any integral multiple thereof and dated as provided in the Indenture. The Bonds shall bear interest on the unpaid principal balance thereof (computed on the basis of a 365 or 366-day year, as the case may be) from the date thereof at the rate per annum equal to 60% of the Prime Rate (as defined in the Indenture) as in effect from time to time during such period, such interest rate to be adjusted automatically as of the effective date of any change in the Prime Rate, with interest payable on March 1 and September 1 of each year, commencing September 1, 1981, and commencing March 1, 1983 principal is payable in equal, successive semiannual installments of \$152,941.18 on each March 1 and September 1 until March 1, 1991

when the remaining balance of principal plus unpaid accrued interest shall be due and payable, provided that (i) if an Event of Taxability (as defined in the Financing Agreement) occurs, the Bonds shall bear interest on the unpaid principal amount thereof from the Event of Taxability, payable within thirty days after the occurrence of a Final Determination of Taxability (as defined in the Financing Agreement) and thereafter on each succeeding March 1 and September 1, at the rate per annum equal to the Taxable Rate (as defined in the Financing Agreement) as in effect from time to time during such period, such interest rate to be adjusted automatically as of the effective date of any change in the Prime Rate and (ii) at no time shall the rate of interest on the Bonds exceed 45%. Anything in the Bonds to the contrary notwithstanding, the obligation of the County thereunder shall be subject to the limitation that payments of interest to the holders of the Bonds shall not be required to the extent that the receipt of any such payment by the holders of the Bonds would be contrary to the provisions of law applicable to such holders which limit the maximum rate of interest which may be charged or collected by such holders.

The Bonds shall be payable; shall be subject to redemption prior to maturity, and shall be in substantially the form as set forth in the Indenture. The Bonds shall be sold to the Purchaser at a private sale at a purchase price equal to 100% of the principal amount of the Bonds. The maximum net effective interest rate on the Bonds, taking into account the fee of the Purchaser, is 45.12% per annum and such rate is hereby determined to be the maximum net effective interest rate on the Bonds.

Section 4. The following determinations and findings are hereby made in accordance with Sections 29-3-113, 29-3-114 and 29-3-120 of the Act:

(a) The maximum amount necessary in each year to pay the principal of and the interest on the Bonds is as follows:

<u>Annual Period to and Including March 1</u>	<u>Maximum Interest for such Period</u>	<u>Principal to be Retired in such Period</u>	<u>Maximum Annual Debt Service Requirement</u>
1982	\$1,115,951.09	\$ 0	\$1,115,951.09
1983	1,170,000.00	152,941.18	1,322,941.18
1984	1,066,764.69	305,882.36	1,372,647.05
1985	929,117.63	305,882.36	1,234,999.99
1986	791,470.57	305,882.36	1,097,352.93
1987	653,823.51	305,882.36	959,705.87
1988	516,176.45	305,882.36	822,058.81
1989	378,529.38	305,882.36	684,411.74
1990	240,882.32	305,882.36	546,764.68
1991	103,235.26	305,882.30	409,117.56

(b) No reserve fund has been established nor is proposed to be established for the retirement of the Bonds or the maintenance of the Project and accordingly it will not be necessary to pay amounts into any such reserve fund.

(c) The terms under which the purchase of the Project is to be financed provide that the Company shall maintain the Project and carry all proper insurance with respect thereto.

(d) The revenues payable under the Financing Agreement and the Note are sufficient to pay, in addition to all other requirements of the Financing Agreement and this resolution, all sums referred to in paragraphs (a) and (c) of this Section.

(e) The Financing Agreement requires the Company to pay, in addition to all other requirements of the Financing Agreement and this resolution, all taxes payable pursuant to Section 29-3-120 of the Act.

Section 5. The forms, terms and provisions of the Financing Agreement, the Note, the Indenture and the Letter of Credit be and they hereby are approved and the County shall enter into the Financing Agreement and the Indenture in the forms of each of such documents presented to the Board of County Commissioners at this meeting, with only such changes therein, if any, as are not inconsistent herewith; and the Chairman of the Board of County Commissioners is hereby authorized and directed to execute and deliver the Financing Agreement and the Indenture and the County Clerk is hereby authorized and directed to affix the County seal to and to attest each such document.

Section 6. The form, terms and provisions of the Bonds, in the form contained in the Indenture, be and they hereby are approved, with only such changes therein, if any, as are not inconsistent herewith; and the Chairman of the Board of County Commissioners is hereby authorized and directed to execute the Bonds and the County Clerk is hereby authorized and directed to affix the seal of the County to the Bonds and to attest the Bonds.

Section 7. The officers of the County shall take all action in conformity with the Act necessary or reasonably required to effectuate the issuance of the Bonds and shall take all action necessary or desirable in conformity with the Act to finance the cost of the purchase of the Project and for carrying out, giving effect to and consummating the transactions contemplated by this resolution, the Financing Agreement, the Note, the Indenture and the Letter of Credit, including without limitation the execution and delivery of any documents necessary to elect to have Section 103(b)(6)(D) of the Internal Revenue Code of 1954, as amended, apply to the Bonds, the execution and delivery of any closing documents to be delivered in connection with the sale and delivery of the Bonds and the execution and delivery of any documents to be delivered to Continental Illinois National Bank and Trust Company of Chicago in connection with the Letter of Credit.

Section 8. The Chairman of the Board of County Commissioners is hereby authorized to execute and deliver to the Trustee the written order of the County for the authentication and delivery of the Bonds by the Trustee, in accordance with Section 2.07 of the Indenture.

Section 9. The cost of financing the purchase of the Project, including incidental issuing expenses, will be paid out of the proceeds of the Bonds and none of the Bonds will be the general obligation of the County nor shall any of the Bonds, including interest thereon, constitute the debt or indebtedness of the County within the meaning of the Constitution or statutes of the State of Colorado nor shall anything contained in this resolution or in the Bonds, the Financing Agreement, the Note, the Indenture, the Letter of Credit or any other instrument give rise to a pecuniary liability or a charge upon the general credit or taxing powers of the County, nor shall the breach of any agreement contained in this resolution, the Bonds, the Financing Agreement, the Note, the Indenture, the Letter of Credit or any other instrument impose any pecuniary liability upon the County or a charge upon the general credit or taxing powers of the County, the County having no power to pay out of its general fund, or otherwise contribute any part of the cost of financing the purchase of the Project, nor power to operate the Project as a business or in any manner, nor shall the County condemn any land or other property for the Project nor contribute any land or other property to the Project.

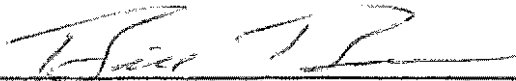
Section 10. After any of the Bonds are issued, this resolution shall be and remain irrevocable until the Bonds and the interest thereon shall have been fully paid, cancelled and discharged.

Section 11. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 12. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith and with the documents hereby approved, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution, or part thereof.

Section 13. This resolution shall be in full force and effect upon its passage and adoption.

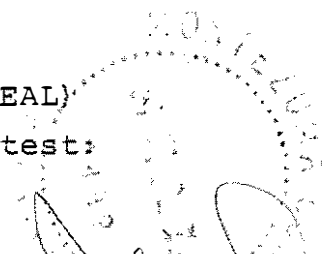
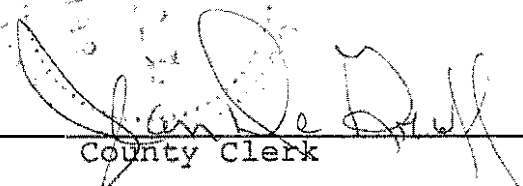
PASSED, ADOPTED AND APPROVED this 16th day of March, 1981.



Chairman of the Board of
County Commissioners

(SEAL)

Attest:

County Clerk

Whereupon it was moved by Commissioner Henneman and seconded by Commissioner Ray that all rules of the Board of County Commissioners which might prevent, unless suspended, the final passage and adoption of said resolution at this meeting be, and the same hereby are, suspended for the purpose of permitting the final passage and adoption of said resolution at this meeting. The motion was put to a vote, the vote being as follows:

Those Voting Yes:

Bill Bauer
Floyd Ray
Roy Henneman

Those Voting No:

None

Those Absent:

None

A motion to adopt the foregoing resolution was then duly made by Commissioner Henneman and duly seconded by Commissioner Ray, was put to a vote, the vote being as follows:

Those Voting Yes:

Bill Bauer
Floyd Ray
Roy Henneman

Those Voting No:

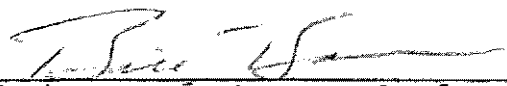
None

Those Absent:

None

Thereupon, the presiding officer declared said motion carried and said resolution duly passed and adopted.


After the consideration of other business unrelated to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.



Chairman of the Board of County
Commissioners

(SEAL)

Attest:




County Clerk

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
) SS.
)

I, Jean DeGraff, the duly elected, qualified and acting Clerk of Montezuma County, Colorado, do hereby certify that the foregoing pages 1 to 10, inclusive, are a true, correct and complete copy of the record of proceedings, insofar as such proceedings relate to the resolution contained therein, of the Board of County Commissioners of Montezuma County, Colorado, had and taken at a lawful meeting of the Board held at 101 West Main Street, Cortez, Colorado, on Monday, March 16, 1981, commencing at the hour of 11:00 a.m., as recorded in the regular official book of the proceedings of the County kept in my office, said proceedings were duly had and taken as therein shown, the meeting therein shown was duly held, and the persons therein named were present at said meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this 16th day of March, 1981.



County Clerk

(SEAL)



THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 26th day of January, 19 81, with the following persons in attendance:

Commissioners: W. C. Bauer, Roy W. Henneman
and Floyd M. Ray

Commissioners absent: None

County Clerk and Recorder: Mary Ann Sanders, Deputy

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #3-81

WHEREAS, Colorado Ute Electric Association is in the process of making application to Montezuma County for a permit to construct and locate a 34.5KV electric transmission line in Montezuma County, and

WHEREAS, The Montezuma County Board of Commissioners by regulations adopted by Montezuma County must consider all matters of impact before such permit may be granted, and

WHEREAS, Among other things to be considered will be the impacts on their neighboring counties, and

WHEREAS, The Board desires to cooperate with the U.S. Forest Service, The Bureau of Land Management and other public land agencies, and

WHEREAS, The Board looks to its County Planning Commission for recommendations resulting from their studies and public input provided to them, and

WHEREAS, The Board believes such facilities proposed by Colorado Ute Electric are necessary for the general well being of Montezuma County and surrounding areas.

NOW THEREFORE BE IT RESOLVED that the Board requests that the Montezuma County Planning Commission proceed with such meetings with neighboring county officials, public lands agencies and the general public to determine the most feasible route for such facilities and make such recommendations as to construction they deem advisable.

BE IT FURTHER RESOLVED that the Montezuma County Board of Commissioners shall take no final action relating to such permits without final consultation with the LaPlata County Board of Commissioners.

Commissioners voting aye in favor of the Resolution were:

W. C. Bauer, Roy W. Henneman, and
Floyd M. Ray.

Commissioners voting Nay: None

[Signature], Floyd M. Ray, and
Signature Signature
[Signature]
Signature

[Signature]
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTEZUMA
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 12th day of January, 19 81, with the following persons in attendance:

Commissioners: Floyd M. Ray, William C. Bauer,
and Clay V. Bader.

Commissioners absent: None

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION #2-81

Be it resolved that the County Treasurer of Montezuma County is hereby authorized to assign all Tax Certificates for Montezuma County.

Commissioners voting aye in favor of the Resolution were:

Floyd M. Ray, William C. Bauer, and Clay V. Bader
Commissioners voting Nay: None

Signature

Signature

Signature

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Des. # 1-81

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in open, public regular session at Cortez, Cortez, Colorado on January 22nd 1981 at 9:00

7mR

9 . m. There were present at said meeting the following:

Present:

Chairman:

Other Commissioners:

Alphonse M. Ray
W.C. Bayan
Clay V. Bader
Nana

Absent:

constituting all the members thereof.

There were also present:

County Clerk:

County Attorney:

Joan DeCarr
Cecilia Muelo

Commissioner Ray introduced the following resolution, the text of which is as follows:

RESOLUTION NO. 1-81
SERIES OF 1980


A RESOLUTION EXTENDING THE TIME FOR THE SALE
AND DELIVERY OF INDUSTRIAL DEVELOPMENT REVENUE
BONDS TO FINANCE A PROJECT FOR SOCIETY CHIMIQUE
ROUTIERE ET D'ENTREPRISE GENERALE (SCREG)

WHEREAS, on January 14, 1980, the Board of County Commissioners adopted Resolution No. 1-80, Series of 1980 ("Resolution No. 1-80") agreeing to issue industrial development revenue bonds (the "bonds") to finance certain real and personal property for use in equipment leasing for the construction industry and/or carrying on a construction business facility for Society Chimique Routiere et D'Enterprise Generale (SCREG), being a group of related companies (collectively, the "Company"); and

WHEREAS, Resolution No. 1-80 stated that all commitments by the County of Montezuma (the "County") were subject to the condition that on or before 12 months from the date of final adoption of Resolution 1-80, the County and the Company shall have agreed to mutually acceptable terms for the bonds and for the sale and delivery thereof; and

WHEREAS, due to the adverse conditions of the municipal bond market, the County and the Company have not agreed to mutually acceptable terms for the bonds and the sale and delivery thereof, and the County and the Company desire to extend the 12 month time period referred to in Resolution No. 1-80.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. All commitments by the County contained in Resolution No. 1-80 are subject to the condition that on or before 6 months from the date of final adoption of this resolution, the County and the Company shall have agreed to mutually acceptable terms for the bonds and the sale and delivery thereof. 

Section 2. Except as stated in Section 1 of this resolution, the terms and provisions of Resolution No. 1-8~~0~~ are hereby *7mR* ratified, approved and confirmed.

1981
~~1980.~~

PASSED, ADOPTED AND APPROVED this ^{*5th*}~~22nd~~ day of *January* ~~December~~, *7mR*

Lloyd M Ray

Chairman

(SEAL)

ATTEST:

[Signature]

County Clerk

It was moved by Commissioner Bauer and seconded by Commissioner Bauer that the resolution be placed on its final passage and that all rules which unless suspended might prevent the final passage and adoption of the resolution at this meeting be, and the same hereby are, suspended for the purpose of permitting the final passage and adoption of the resolution at this meeting.

The question being upon the adoption of the motion and the suspension of the rules, the roll was called with the following result:

Those Voting Yes:

Floyd M. Ray
W. C. Bauer
Clay V. Badger

Those Voting No:

None

Those Absent:

None

All members having voted in favor of the motion, the presiding officer declared the motion carried and the rules suspended.

Commissioner Bauer then moved that the resolution be passed and adopted. Commissioner Bauer seconded the motion. The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Yes:

Floyd M. Ray
W. C. Bauer
Clay V. Badger

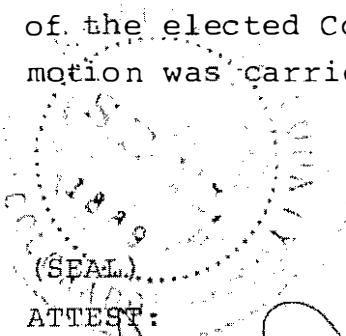
Those Voting No:

None

Those Absent:

None

The presiding officer thereupon declared that a majority of the elected Commissioners having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.



ATTEST:

[Signature]
County Clerk

Floyd M. Ray
Chairman

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

I, Jane DeCasse, County Clerk of Montezuma County Colorado (the "County"), do hereby certify:

1. The foregoing pages numbered 1 through 4, excerpts from the minutes of a regular meeting of the Board of County Commissioners of the County (the "Board") held on ~~December 22, 1980~~, ^{January 5, 1981} constitute a true, correct, complete and compared copy of the proceedings of the Board insofar as such minutes relate to the resolution contained therein. JA

2. All members of the Board were present at such meeting and the members of the Board voted on the passage of the resolution as in such minutes set forth.

3. All members of the Board were given due and proper notice of the meeting.

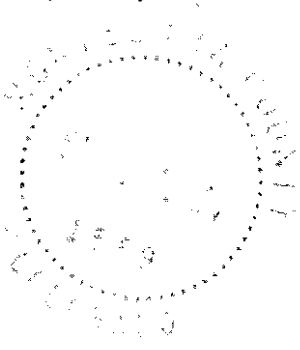
4. I was in attendance at the meeting, and the foregoing proceedings were in fact held as such minutes state and as officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County this ~~December 22, 1980~~.

January 5, 1981 JA

[Signature]
County Clerk

(SEAL)



RESOLUTION NO. 1-81
SERIES OF 1980


A RESOLUTION EXTENDING THE TIME FOR THE SALE
AND DELIVERY OF INDUSTRIAL DEVELOPMENT REVENUE
BONDS TO FINANCE A PROJECT FOR SOCIETY CHIMIQUE
ROUTIERE ET D'ENTREPRISE GENERALE (SCREG)

WHEREAS, on January 14, 1980, the Board of County Commissioners adopted Resolution No. 1-80, Series of 1980 ("Resolution No. 1-80") agreeing to issue industrial development revenue bonds (the "bonds") to finance certain real and personal property for use in equipment leasing for the construction industry and/or carrying on a construction business facility for Society Chimique Routiere et D'Enterprise Generale (SCREG), being a group of related companies (collectively, the "Company"); and

WHEREAS, Resolution No. 1-80 stated that all commitments by the County of Montezuma (the "County") were subject to the condition that on or before 12 months from the date of final adoption of Resolution 1-80, the County and the Company shall have agreed to mutually acceptable terms for the bonds and for the sale and delivery thereof; and

WHEREAS, due to the adverse conditions of the municipal bond market, the County and the Company have not agreed to mutually acceptable terms for the bonds and the sale and delivery thereof, and the County and the Company desire to extend the 12 month time period referred to in Resolution No. 1-80.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. All commitments by the County contained in Resolution No. 1-80 are subject to the condition that on or before 6 months from the date of final adoption of this resolution, the County and the Company shall have agreed to mutually acceptable terms for the bonds and the sale and delivery thereof. 

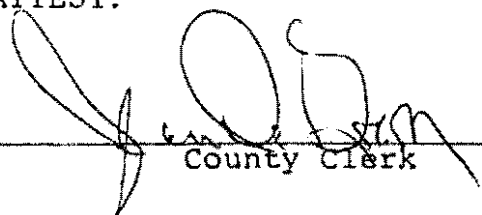
Section 2. Except as stated in Section 1 of this resolution, the terms and provisions of Resolution No. 1-80 are hereby ratified, approved and confirmed. *FMK*


1981
~~1980.~~

PASSED, ADOPTED AND APPROVED this ^{5th}~~2nd~~ day of ^{January}~~December~~, *FMK*

(SEAL)

ATTEST:


County Clerk


Chairman

It was moved by Commissioner Bayer and seconded by Commissioner Bayer that the resolution be placed on its final passage and that all rules which unless suspended might prevent the final passage and adoption of the resolution at this meeting be, and the same hereby are, suspended for the purpose of permitting the final passage and adoption of the resolution at this meeting.

The question being upon the adoption of the motion and the suspension of the rules, the roll was called with the following result:

Those Voting Yes:

Floyd M. Ray
W. C. Bayer
Clay V. Badie
Nay
Nay

Those Voting No:

Those Absent:

All members having voted in favor of the motion, the presiding officer declared the motion carried and the rules suspended.

Commissioner Bayer then moved that the resolution be passed and adopted. Commissioner Bayer seconded the motion. The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Yes:

Floyd M. Ray
W. C. Bayer
Clay V. Badie
Nay
Nay

Those Voting No:

Those Absent:

The presiding officer thereupon declared that a majority of the elected Commissioners having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.

(SEAL)

ATTEST:

[Signature]
County Clerk

Floyd M. Ray
Chairman

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

I, Juan D. Carr, County Clerk of Montezuma County Colorado (the "County"), do hereby certify:

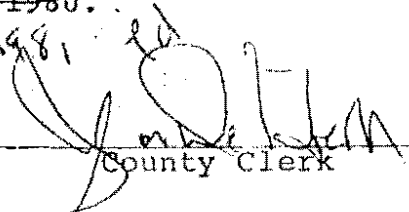
1. The foregoing pages numbered 1 through 4, excerpts from the minutes of a regular meeting of the Board of County Commissioners of the County (the "Board") held on ~~December 22, 1980,~~ ^{January 5, 1981} constitute a true, correct, complete and compared copy of the proceedings of the Board insofar as such minutes relate to the resolution contained therein. 12

2. All members of the Board were present at such meeting and the members of the Board voted on the passage of the resolution as in such minutes set forth.

3. All members of the Board were given due and proper notice of the meeting.

4. I was in attendance at the meeting, and the foregoing proceedings were in fact held as such minutes state and as officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County this ~~December 22, 1980.~~ ^{January 5, 1981}


County Clerk

(SEAL)